

July 25, 2023

EDWARD J. EMMONS, CLERK
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA



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The following constitutes the order of the Court.

Signed: July 25, 2023

A handwritten signature in black ink, reading "William J. Lafferty, III", is written over a horizontal line.

William J. Lafferty, III
U.S. Bankruptcy Judge

*Counsel for the Debtor
and Debtor in Possession*

UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

In re:

THE ROMAN CATHOLIC BISHOP OF
OAKLAND, a California corporation sole,

Debtor.

Case No. 23-40523 WJL

Chapter 11

**FINAL ORDER AUTHORIZING AND
APPROVING SPECIAL NOTICING AND
CONFIDENTIALITY PROCEDURES**

Judge: Hon. William J. Lafferty

Date: July 19, 2023

Time: 1:30 p.m.

Place: United States Bankruptcy Court
1300 Clay Street
Courtroom 220
Oakland, CA 94612

1 Upon the *Debtor's Motion For an Order Authorizing and Approving Special Noticing and*
2 *Confidentiality Procedures*, dated May 8, 2023 (the "Motion"), filed by the Roman Catholic Bishop of
3 Oakland, a California corporation sole, and the debtor and debtor in possession (the "Debtor" or "RCBO")
4 in the above-captioned chapter 11 bankruptcy case (the "Chapter 11 Case" or the "Bankruptcy Case"), as
5 amended by the *Debtor's Amendment to Motion For an Order Authorizing and Approving Special*
6 *Noticing and Confidentiality Procedures*, dated July 7, 2023 (the "Amendment to Motion"),¹ for an order
7 (i) requiring all schedules, statements of financial affairs, creditor matrices, motions, pleadings, and any
8 other entry into the record to be filed under seal or redacted to the extent they contain (a) non-public names
9 of abuse claimants or potential abuse claimants, and the names of the Referenced Priests, (b) the private
10 contact information of the Debtor's current or former employees, or (c) personally identifying information
11 of workers' compensation claimants or minors, and (ii) limiting notice to a specific list of recipients on
12 all but certain discrete matters identified in the Motion; the Court having reviewed and considered the
13 Motion and Amendment to Motion, the First Day Declaration, all other filings in support of or opposition
14 to the Motion, and the arguments made at the interim and final hearings on the Motion; the Court finding
15 that it has jurisdiction over this matter, that venue in this Court is proper, and that notice of the Motion
16 and the interim and final hearings thereon was reasonable and sufficient under the circumstances for the
17 granting of interim and final relief; and for the reasons stated on the record,

18 **IT IS HEREBY ORDERED THAT:**

19 1. The Motion is GRANTED on a final basis for the reasons and on the terms and conditions
20 set forth on the record on July 19, 2023.

21 2. All parties-in-interest shall redact or file under seal those portions of any document that
22 contain any of the following: (a) names of abuse claimants or potential abuse claimants, and the names of
23 the Referenced Priests (as defined in the Amendment to Motion), (b) the personal contact information of
24 any current or former employee of the Debtor, or (c) personally identifying information of workers'
25 compensation claimants or minors. No further order of the Court shall be required to seal or redact the
26

27 ¹ Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Motion or the Amendment to
28 Motion, as applicable.

1 aforementioned information. To the extent the personal contact information of any of the Debtor's current
2 or former employees is required to be disclosed under the Bankruptcy Rules, the Debtor may use the
3 following address: 2121 Harrison Street, Suite 100, Oakland, CA 94612. The foregoing sealing and
4 redaction requirements shall not apply to any notices of appointment of an official committee under 11
5 U.S.C. § 1102 or any amendments to such notices filed by the United States Trustee.

6 3. The Debtor shall maintain and file the Core Service List that shall initially include the
7 following parties-in-interest: (i) the Office of the United States Trustee for Region 17; (ii) the Debtor;
8 (iii) counsel for the Debtor; (iv) counsel for the Official Committee of Unsecured Creditors (the
9 "Committee"); (v) those persons who have formally appeared by filing a Notice of Appearance, a Request
10 for Notice, or a similar document and requested notice in this case under Bankruptcy Rule 2002;
11 (vi) the California Attorney General's Office; and (vii) RCC or its counsel.

12 4. Any party-in-interest wishing to be included on the Core Service List shall file a notice of
13 such request with the Court (by CM/ECF for those who are authorized users or, for those who are not
14 authorized CM/ECF users, by submitting a paper copy, by mail or in person, to the Clerk of the Court, at
15 the following address: The Clerk of the United States Bankruptcy Court for the Northern District of
16 California, Oakland Division, 1300 Clay Street, Suite 300, Oakland, CA, 94612) and serve a written copy
17 of such request to the Debtor's bankruptcy counsel at the following address: Ann Marie Uetz, Foley &
18 Lardner LLP, 500 Woodward Avenue, Suite 2700, Detroit, MI 48226-3489, auetz@foley.com.

19 5. The Debtor will update the Core Service List to include those persons or parties who have
20 made a written request to be included on the Core Limited Service List: (i) every seven (7) days during
21 the first thirty (30) calendar days of this case; and (ii) monthly thereafter throughout the pendency of this
22 case. The Debtor will file a notice of each updated Core Service List if it includes changes from the last
23 Core Service List filed with the Court.

24 6. The Core Service List shall clearly identify interested parties and their counsel who
25 participate in the CM/ECF system.

26 7. Any person filing a pleading or a paper in this case shall serve such pleading or paper on
27 (a) all parties-in-interest listed on the most recent Core Service List, and (b) any creditor or other party-
28

1 in-interest whose interests are likely to be affected directly by the pleading or proceeding. The serving
2 party shall file with the Court an affidavit or certificate of service and an attached list of parties receiving
3 notice within three (3) business days of service. The affidavit or certificate of service can state that all
4 parties on the Core Service List were served in lieu of individually identifying each party on the Core
5 Service List, in which case, it shall indicate the date of the Core Service List used.

6 8. The electronic service by email which includes as a PDF attachment the documents served
7 by any person who participates in the ECF system or provides an email address on a request for notice
8 constitutes service of the pleading or paper and no conventional hard copy service on such interested party
9 shall be required, *provided however*, that notices required by Bankruptcy Rule 2002(a)(1), (4), (5), and
10 (7) and (b)(1) and (2) shall be served by mail in hard copy.

11 9. Notwithstanding the foregoing, the following shall be provided to all known creditors and
12 other parties-in-interest, at their last address known to the Debtor, unless otherwise ordered by the Court:
13 (i) notice of the first meeting of creditors pursuant to section 341 of title 11 of the United States Code, 11
14 U.S.C. §§ 101, *et seq.* (the “Bankruptcy Code”); (ii) notice of the time fixed for filing proofs of claim
15 pursuant to Bankruptcy Rule 3003(c); (iii) notice of the time fixed for filing objections to, and the hearing
16 to consider approval of, a disclosure statement or confirmation of a plan of reorganization; (iv) notice and
17 transmittal of ballots for accepting or rejecting a plan of reorganization; (v) notice of time fixed to accept
18 or reject a proposed modification of a chapter 11 plan; and (vi) notice of any hearing on a motion to
19 dismiss the Bankruptcy Case or to convert the Bankruptcy Case to chapter 7.

20 10. Notices under Bankruptcy Rules 2002(a)(2), 2002(a)(3) and 2002(a)(6) may be served on
21 the Core Service List only. Notice for the matters specified in Bankruptcy Rules 2002(a)(4) and
22 2002(a)(5) shall be served on all parties identified in Rule 2002(a).

23 11. Complaints, summons, and contested matters shall be served on parties directly affected
24 by the pleading or proceeding in the manner prescribed by Federal Bankruptcy Rules 7004 and 9014(b),
25 unless such party expressly consents to electronic service.

26 12. This Order shall be immediately effective and enforceable upon entry.
27
28

1 13. The Debtor is authorized to take all actions necessary or appropriate to effectuate the relief
2 granted in this Order.

3 14. This Court shall retain jurisdiction with respect to all matters arising from or related to the
4 implementation of or interpretation of this Order.

5 **APPROVED AS TO FORM:**

6 OFFICE OF THE UNITED STATES TRUSTEE

7
8 By: /s/ Jason Blumberg
9 Jason Blumberg
Trial Attorney

10 **APPROVED AS TO FORM:**

11 LOWENSTEIN SANDLER LLP

12
13 By: /s/ Brent I. Weisenberg
14 Brent I. Weisenberg
15 Attorneys for the
Official Committee of Unsecured Creditors

16 **END OF ORDER**

COURT SERVICE LIST

All ECF Recipients.

FINAL ORDER APPROVING NOTICING AND CONFIDENTIALITY PROCEDURES

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